

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOHN DAVID RAGLAND, #1290652,

Petitioner,

v.

**NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,**

Respondent.

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Civil Action No. **3:08-CV-1058-L**

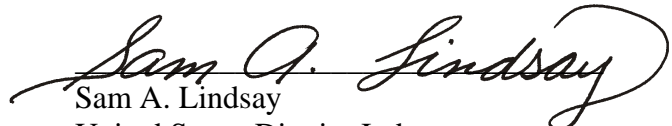
ORDER

On December 1, 2008, Petitioner filed a notice of appeal. Petitioner attached a statement to his notice of appeal, which the United States Court of Appeals for the Fifth Circuit construed as a request for an extension of time to file the notice of appeal. On February 11, 2009, the United States Court of Appeals for the Fifth Circuit remanded the case to the district court to determine whether Petitioner has shown excusable neglect or good cause. On February 18, 2009, Petitioner's Request for an Extension of Time to File a Notice of Appeal was referred to United States Magistrate Judge Wm. F. Sanderson, Jr. On March 30, 2009, the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") was filed. Petitioner filed objections to the Report on April 10, 2009.

The magistrate judge found that an extension of the time to file a notice of appeal is not warranted because Petitioner failed to show good cause or excusable neglect. Petitioner has made several objections. These objections, however, merely duplicate Petitioner's responses to the magistrate judge's request that he show excusable neglect or good cause for not timely filing his

notice of appeal. Because these reasons were considered by the court in its review of Petitioner's request for an extension, the court will not separately address them herein. Accordingly, the court **overrules** these objections. Having reviewed the request, file, record, and the Report in this case, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court therefore **denies** Petitioner's Request for an Extension of Time to File a Notice of Appeal.

It is so ordered this 16th day of April, 2009.


Sam A. Lindsay
United States District Judge